

REMARKS/ARGUMENTS

Reconsideration and withdrawal of the rejection of the application are respectfully requested in view of the amendments and remarks herewith, which place the application into condition for allowance. The present amendment is being made to facilitate prosecution of the application.

I. STATUS OF THE CLAIMS AND FORMAL MATTERS

Claims 1-14, 16-27, 29-37, 39-43, and 46 are currently pending in this application. Claims 15, 28, 38, and 44 were previously cancelled without prejudice. Claim 45 is hereby cancelled without prejudice. Claims 2-4, 6, 8, 10-14, 16-25, 30-35, and 41 were previously presented. Claims 1, 5, 7, 9, 26-27, 29, 36-37, 39, 40 and 42-43 are hereby amended. Changes to claims are not made for the purpose of patentability within the meaning of 35 U.S.C. §101, §102, §103, or §112. Rather, these changes are made simply for clarification and to round out the scope of protection to which Applicant is entitled.

II. REJECTIONS UNDER 35 U.S.C. §103(a)

Claims 1-8, 45, and 46 were rejected under 35 U.S.C. §103(e) as allegedly being unpatentable over U.S. Patent No. 6,898,762 to Ellis et al. (hereinafter, merely "*Ellis*") in view of UK Patent Application No. 2343074 to Miller et al. (hereinafter, merely "*Miller*"), U.S. Patent No. 7,469,413 to Mizutome et al. (hereinafter, merely "*Mizutome*"), and further in view of U.S. Patent No. 6,437,836 to Huang et al. (hereinafter, merely "*Huang*"). Claims 9, 14, 16-20, and 22-27 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Huang* in

view of *Miller* and *Mizutome*. Claims 10-13 and 21 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Huang* in view of *Miller*, *Mizutome*, and further in view of *Ellis*. Also, claims 29, 31-37, 39-40, and 42-43 were rejected under 35 U.S.C. §103(a) as allegedly being unpatentable over *Ellis* in view of *Miller* and further in view of *Mizutome*.

III. RESPONSE TO REJECTIONS

Independent claim 1, as amended, recites, *inter alia*:

“An information processing system comprising:

... providing means for retrieving said program information from said storing means before providing the retrieved program information to said portable information terminal apparatus, said providing means **retrieving said program information based on identifying a user ID associated with an information request transmitted from said portable information terminal apparatus,**

wherein upon identifying said user ID said retrieved program information includes registered content applicable to said user ID, and

wherein said user ID is unidentifiable, said retrieved program information includes commonly watched channels;

converter means for converting said program information from a page description language format to another database format that excludes tag information, wherein said another database format comprises a less amount of data than said page description language. ...” (Emphasis added)

A. A Providing Means For Retrieving Program Information Based On Identifying A User ID Associated With An Information Request Transmitted From A Portable Information Terminal Apparatus And A Convertor Means that Converts Retrieved Program Information To A File Format Comprising Less Data Are Not Taught Or Suggested In The Prior Art

Neither *Ellis, Miller, Mizutome* nor *Huang* disclose or suggest a “convertor means for converting [the] program information from a page description language format to another database format that excludes tag information, wherein said another database format comprises a less amount of data than said page description language[.]” as recited in claim 1. Moreover, neither *Ellis, Miller, Mizutome* nor *Huang* disclose or suggest a “providing means,” whereby the “providing means retriev[es] program information based on identifying a user ID associated with an information request transmitted from said portable information terminal apparatus, wherein upon identifying said user ID said retrieved program information includes registered content applicable to said user ID, and wherein said user ID is unidentifiable, said retrieved program information includes commonly watched,” as further recited in claim 1.

The Office Action (i.e., page 4) asserts that the above-recited portion of claim 1 is taught by *Miller* (Figs. 2, 3, and 10-12; page 4, lines 15-19; page 17, lines 10-29). Applicants respectfully submit that *Miller* does not disclose or suggest a “providing means [that] retriev[es] program information based on identifying a user ID associated with an information request transmitted from said portable information terminal apparatus” such that “upon identifying said user ID said retrieved program information includes registered content applicable to said user ID[.]”

Rather, *Miller* describes building a user action log (see *Fig. 3, step 280*), which provides a history of the user's viewing habits and preferences over the course of time. Page 8 of *Miller* illustrates such an action log. *Miller* does not, using a "providing means," "identify [a] user ID associated with an information request transmitted from [a] portable information terminal apparatus[.]" much less "retrieve [such] program information [that] include[s] registered content applicable to said user ID[.]" based on the "user ID."

By way of example and not limitation, according to paragraph [0268] of Applicants' specification:

"The user ID is unique identification information granted to each user of the PDA 1-2 who in advance registered detailed information such as desired TV channels for program information acquisition with the TV program information service provider 14 (i.e., the ID is given to the user whose detailed information about desired TV programs is stored in the user information database 195 described above with reference to FIG. 10). The user ID is established on the setting screen discussed above by referring to FIG. 16."

The Office Action (i.e., page 5) also alleges that *Mizutome* teaches (see Figs. 16A, 16B, 22A, and 22B) "wherein said user ID is unidentifiable, said retrieved program information includes commonly watched channels [.]"

According to *column 13, lines 45-57* of *Mizutome*, in step S303, it is discriminated whether the integrated EPG display condition is designated by the user. If designated, the range of the station-specific EPG data and the all-station EPG data around the aforementioned integrated EPG display condition to be read from the memory 107 is determined, according to the channel and the time zone based on the designated display condition (S304). If the integrated EPG display condition is not designated, there is determined the range of the

station-specific EPG data and the all-station EPG data around the aforementioned integrated EPG display condition to be read from the memory 107, according to the channel and the time zone based on a default condition (S305). The default condition can be data capable of complementing the all-station EPG data, for example image data of an introductory sentence for the program content or a representative scene of the program. *Mizutome*, column 14, lines 39-43.

Mizutome's default condition data thus merely relates to a range of EPG data and not "retriev[ing] program information include[ing] commonly watched channels[.]" based on an "unidentifiable" "user ID."

Moreover, claim 1, as amended, includes the subject matter of canceled claim 45. According to the Office Action (page 18), column 1, line 65 through column 2, line 3 of *Ellis* allegedly teaches the subject matter of claim 45, whereby *Ellis* discloses that a main facility (and other sources) may provide (e.g., via link 18, Fig. 1) program guide data to the television distribution facilities via a satellite link, a telephone network link, a cable or fiber optic link, a microwave link, an Internet link, a combination of such links, or any other suitable communications link. *Ellis*' various forms (e.g., telephone, fiber, etc.) of communication over a link fail to disclose or suggest a "converter means for converting [the] program information from a page description language format to another database format that excludes tag information, wherein said another database format comprises a less amount of data than said page description language[.]" as recited in claim 1. Applicants' "converter means" are directed to a file format conversion and not various forms of communications over a link, as described by *Ellis*.

In the Office Action, it is conceded that neither *Ellis*, *Miller*, *Mizutome*, nor *Huang* disclose "another database format that excludes tag information." This is unsurprising

since neither *Ellis*, *Miller*, *Mizutome*, nor *Huang* disclose or suggest a “convertor means for converting [the] program information from a page description language format to another database format that excludes tag information, wherein said another database format comprises a less amount of data than said page description language[.]” Applicants also respectfully request a *prima facie* showing of the alleged obviousness of the excluded tag information for which “*Official Notice [was] taken that to reduce the size of a program guide tag information can be removed.*” See *Office Action*, page 18.

Therefore, for at least the foregoing reasons, Applicants respectfully submit that claim 1 is patentable. Independent claims 5, 7, 9, 26-27, 29, 36-37, 39, and 42-43, which are similar in scope to claim 1, are also patentable for similar reasons.

Reconsideration and withdrawal of these rejections is, therefore, respectfully requested.

IV. DEPENDENT CLAIMS

The other claims in this application are each dependent from one of the independent claims discussed above and are therefore believed patentable for at least the same reasons. Since each dependent claim is also deemed to define an additional aspect of the invention, however, the individual reconsideration of the patentability of each on its own merits is respectfully requested.


CONCLUSION

In view of the foregoing amendments and remarks, it is believed that all of the claims in this application are patentable and Applicants respectfully request early passage to issue of the present application.

Please charge any additional fees that may be needed, and credit any overpayment, to our Deposit Account No. 50-0320.

Respectfully submitted,

FROMMER LAWRENCE & HAUG LLP
Attorneys for Applicants

By 

Thomas F. Presson
Reg. No. 41,442
(212) 588-0800